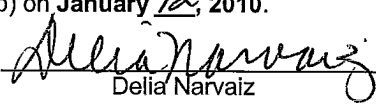


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty. Docket No. (Opt.) ZIMM1780
Applicant Scott A. Webb	
Application Number 10/633,371	Filed August 1, 2003
For SPINAL IMPLANT	
Group Art Unit 3733	Examiner COMSTOCK, David C.
Confirmation Number: 5117	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<p align="center"><u>Certification of Transmission Under 37 C.F.R. 1.8</u></p> <p>I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 via the U.S. Patent and Trademark Office Electronic Filing System (EFS-Web) on <u>January 12, 2010</u>.</p> <p align="center">  Delia Narvaiz </p>

Dear Sir,

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the information listed on the attached SB08A/B form(s) be considered and cited in the examination of the above-identified application. A copy of U.S. Patent(s) and U.S. Patent Application Publication(s) listed on the attached SB08A form is not being submitted with this Information Disclosure Statement pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office. A copy of foreign patent documents as well as the information listed on the attached SB08B form is enclosed for the convenience of the Examiner.

☐ This Information Disclosure Statement is being submitted within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d).

☐ This Information Disclosure Statement is being submitted within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application;

☐ This Information Disclosure Statement is being submitted before the mailing of a first Office action on the merits; or

☐ This Information Disclosure Statement is being submitted before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

☒ This Information Disclosure Statement is being submitted after the period specified in 37 C.F.R. § 1.97(b) and before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of:

- ☐ The statement specified in 37 C.F.R. § 1.97(e); or
- ☒ The fee set forth in 37 C.F.R. § 1.17(p). Applicant hereby authorizes the Commissioner to deduct the amount of \$180 from Deposit Account No. 50-3183 of Sprinkle IP Law Group for the filing fee of this Information Disclosure Statement.

☐ This Information Disclosure Statement is being submitted after the period specified in 37 C.F.R. § 1.97(c) and on or before payment of the issue fee and is accompanied by:

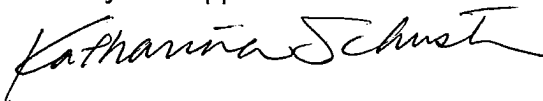
- ☐ The statement specified in 37 C.F.R. § 1.97(e); and
- ☐ The fee set forth in 37 C.F.R. § 1.17(p). Applicant hereby authorizes the Commissioner to deduct the amount of \$180 from Deposit Account No. 50-3183 of Sprinkle IP Law Group for the filing fee of this Information Disclosure Statement.

Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this information is material to patentability of the present application.

Applicant respectfully submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from the listed information.

Respectfully submitted,

Sprinkle IP Law Group
Attorneys for Applicant



Katharina W. Schuster
Reg. No. 50,000

Dated: Jan. 11, 2010
1301 W. 25th Street, Suite 408
Austin, Texas 78705
Tel. (512) 637-9220
Fax. (512) 317-9088